

State of Missouri

Summary of Comments 10 CSR 20-7.015 Effluent Regulations Regulatory Impact Report

Missouri Department of Natural Resources
Water Protection and Soil Conservation Division
Water Protection Program

Comments on RIR for Draft Effluent Rule: 10 CSR 20 - 7.015

640.015 RSMo	RIR Section	Subject of Comment	MFBF	UAC	SCE	NCR
		General Comments or comments on draft rule				6.Draft regulations were not included with RIR 12. Rule on Anti-degradation Implementation is unnecessary. 13. Change the use title of Boating and Canoeing to Secondary Recreational Contact
	1	Does Rule adopt federal rule without variance?		1.RIR should clarify that federal rules adopted by reference do not require a RIR		
1	2	Report of peer reviewed data used to commence the rulemaking		2.No supporting information related to financial capabilities or required timeline for compliance schedules	1.Little justification on proposed changes	
2	3	Persons most likely impacted	1.Potential number of impacted persons and the costs have been underestimated in RIR	3.RIR should state that all persons served by a WWTP may be impacted		
3	4	Environmental and economic costs		4.The economic cost section does not have sufficient detail 5.The RIR should list all individual POTWs and related information 6.Basis for disinfection costs are unclear 7.Costs for WBCR compliance should include wet weather discharges 8.Include costs to facilities for conducting UAAs 9. Cost for testing for both E.Coli and Fecal Coliform 10. Include cost estimate for facilities because of mixing zone elimination 11.No costs for facilities for metals and toxics treatment 12.Expand RIR to include other small businesses impacted.		5. No economic analysis of eliminating mixing zones
4	5	Probable costs to the agency	4.Private entities have received monies to conduct UAAs 5. Costs associated with possible 303(d) listings will affect private entities as well	13.Need costs for developing TMDLs 14.Need costs for recalculating effluent limits 15.Need costs for antidegradation policy implementation.		

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5	6	Comparison of costs and benefits of rule to inaction	2.Comparison inadequate in RIR 3.Revisions are more than just "administrative"	16.RIR inaccurate about effective date of new standards 17.Phrase about the "price of good health" should be stricken 18.Clarify the result of no action 19.Clarify risks of waterborne diseases 20.No basis for statement that rapid promulgation leads to benefits sooner.		
6	7	Less costly and less intrusive alternatives		21.Need information on financial capability and timeframes for permitting	2.Alternatives shift burden to regulated community to determine disinfection need	1.No evidence or alternatives to the deletion of mixing zones 2. No distinction between ditches and low-flow streams 3.and 7.Other alternatives exist for addressing the use of mixing zones 8. RIR should consider MZ alternatives of 125% of stream flow and one foot above normal high water mark.
7	8	Alternative methods for achieving rule	6. Should mention draft MOU with Dept of Agriculture	22.Need information on financial capability and timeframes for permitting	3.High flow exemption depends on inappropriate storm event	4.Rule proposes overly protective requirements and severe economic burden 11.RIR should mention DO criteria alternative of 3.0 mg/l for unclassified streams
8	9	Short-term and long-term consequences		23.Need information about expected water quality improvements		
9	10	Risks to human health, public welfare and environment addressed by rule				
10	11	Sources of scientific information used in assessing risks				
11	12	Description and impact statement of any uncertainties and assumptions in making risk assessment				

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12	13	Countervailing risks of the rule		24.RIR does not consider countervailing risks for CSOs or stormwater 25.Need potential risks from chlorine use		9.RIR should consider risk of chlorination
13	14	Alternative regulatory approaches		26.Need information on existing environmental and health risks and time needed for upgrades.		10. RIR should consider other regulatory approaches